United Nations S/AC.49/2007/15

Security Council

Distr.: General
14 February 2007

Original: English

Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea

Letter dated 11 January 2007 from the Permanent Representative of Pakistan to the United Nations addressed to the Chairman of the Committee

I have the honour to transmit to the Committee Statutory Notification (S.R.O) 1063(I)/2006 dated 16 October 2006, which describes the steps taken by Pakistan with a view to implementing the provisions of paragraph 8 of Security Council resolution 1718 (2006) (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Munir **Akram**

07-24488 (E) 280207

Annex to the letter dated 11 January 2007 from the Permanent Representative of Pakistan to the United Nations addressed to the Chairman of the Committee

GOVERNMENT OF PAKISTAN

MINISTRY OF FOREIGN AFFAIRS

NOTIFICATION *

Islamabad, the 16th October, 2006

S. R. O. 1063(I)/2006.—WHEREAS UNITED NATIONS Security Council acting under Chapter VII of the Charter of the United Nations *vide* its resolution 1718 (2006) has directed all member states to take appropriate steps and ensure implementation of operative paragraph 8 of the UNSC Resolution 1718;

2. AND WHEREAS, section 2 of the United Nations (Security Council) Act, 1948 (XIV of 1948) empowers the Federal Government to apply certain measures to give effect to the decisions of the United Nations Security Council;

3. NOW THEREFORE in exercise of the aforesaid powers, the Federal Government is pleased to decide:

(a) to prevent the direct or indirect supply, sale or transfer to the DPRK, through its territories or by its nationals, or using its flag vessels or aircraft, and whether or not originating in its territories, of:

(3169)

Price: Rs. 03.00

[3404(2006)/Ex. Gaz.]

* Published in *The Gazette of Pakistan* on 20 October 2006.

(i) any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms, or related material including spare parts, or items as determined by the Security Council or the Committee established by paragraph 12 of resolution 1718 (2006);

(ii) all items, materials, equipment, goods and technology as set out in the lists in documents S/2006/814 and S/2006/815, which are yet to be provided, and which will be notified as annexes to this SRO in a separate SRO when available, unless within 14 days of adoption of this resolution the Committee has amended or completed their provisions also taking into account the list in document S /2006/816, as well as other items, materials, equipment, goods and technology, determined by the Security Council or the Committee, which could contribute to DPRK's nuclear related, ballistic missile-related or other weapons of mass destruction-related programme;

(iii) all items in SRO No. 1078 (I)/2005 dated 19 October 2005 which will stand until and unless amended by the lists to be provided by the UN Security Council as given in sub-para 2 above;

(iv) luxury goods;

(b) to prescribe the procurement of any of the items mentioned in a (i), (ii) and (iii) above from DPRK , whether or not originating in the territory of DPRK, or using its flagged vessels or aircrafts;

(c) prevent any transfers to the DPRK by its nationals or from its territories, or from the DPRK by its nationals or from its territory, of technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of the items in subparagraphs (a) (i) and (a) (ii) above;

(d) freeze immediately the funds, other financial assets and economic resources which are on its territories at the date of the adoption of this resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons or entities designated by the Committee or by the Security Council as being engaged in or providing support for, including through other illicit means, DPRK's nuclear-related, other weapons of mass destruction-related and ballistic missile-

related programmes, or by persons or entities acting on their behalf or at their direction, and ensure that any funds, financial assets or economic resources are prevented from being made available by its nationals or by any persons or entities within its territories, to or for the benefit of such persons or entities;

(e) prevent the entry into or transit through its territories of the persons designated by the Committee or by the Security Council as being responsible for, including through supporting or promoting, DPRK policies in relation to the DPRK's nuclear-related, ballistic missile-related and other weapons of mass destruction-related programmes, together with their family members, provided that nothing in this paragraph shall oblige a state to refuse its own nationals entry into its territory;

(f) any action by Federal o r Provincial Authority duly authorized in this regard under the law for time being in force.

4. Provided that as set forth in Paragraph 9 of the Resolution 1718 (2006) the provisions of 3 (d) above as decided by the Security Council shall not be applicable if it is determined:

(a) to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees, and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(c) to be subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 8 (d) above or

an individual or entity identified by the Security Council or the Committee, and has been notified by the relevant States to the Committee;

5. Provided that as set forth in Paragraph 10 of the Resolution 1718 (2006) measures imposed by paragraph 3 (e) above shall not apply where the Committee established by the Security Council pursuant to this resolution determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution;

TARIQ OSMAN HYDER,
Additional Secretary (UN&EC).